

HAND CARRY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application of: Muller et al. Confirmation No.: 5061
Serial No.: 10/786,822 Art Unit: 1624
Filed: February 25, 2004 Examiner: Coleman, B. L.
For: Substituted Acylhydroxamic Acids and Attorney Docket No.: 9516-303-999
Method of Reducing TNF α Levels (JD 501872-999302)

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated December 2, 2005 of the Primary Examiner finally rejecting claims 1, 5, 19, 21-27, 30 and 32-39 of the above-identified application.

The item(s) checked below are appropriate:

1. An extension of time for responding to the final rejection for month(s):
 was filed on
 is submitted herewith.
2. A timely response to the final rejection is filed herewith.
3. A fee in the amount of \$500.00 is:
 Required.
 Not required (Fee paid in prior appeal).
4. Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$250.00 is:
 Required.
 Not required (Fee paid in prior appeal).
5. Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: February 28, 2006

L0209


Hoon Choi (Limited Recog. No.)

JONES DAY

51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113
(202) 879-3939

for: Anthony M. Insogna (Reg. No. 35,203)
JONES DAY
12750 High Bluff Drive, Suite 300
San Diego, CA 92130
(858) 314-1200